

Message Text

SECRET

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ACTION SS-25

INFO OCT-01 ISO-00 SSO-00 NSCE-00 CIAE-00 DODE-00 INRE-00

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FM AMEMBASSY MOSCOW

TO SECSTATE WASHDC IMMEDIATE 7146

S E C R E T SECTION 1 OF 2 MOSCOW 16976

EXDIS

E.O. 11652: XGDS-3

TAGS: PARM,US,UR

SUBJECT: TTBT/PNE NEGOTIATIONS: AD REF DRAFT TREATY TEXT

TTBT/PNE DELEGATION MESSAGE NO. 13

1. PARA 2 BELOW CONTAINS AD REF DRAFT TREATY TEXT AS OF
NOVEMBER 26. TEXT DOES NOT CONTAIN ARTICLE VIII ON DURATION
ON WHICH NO TEXTUAL CHANGES HAVE YET BEEN DEVELOPED.

2. BEGIN TEXT

PREAMBLE

THE UNITED STATES OF AMERICA AND THE UNION OF SOVIET
SOCIALIST REPUBLICS, HEREINAFTER REFERRED TO AS THE
PARTIES,

DESIRING TO IMPLEMENT ARTICLE III OF THE TREATY BETWEEN
THE UNITED STATES OF AMERICA AND THE UNION OF SOVIET
SOCIALIST REPUBLICS ON THE LIMITATION OF UNDERGROUND NUCLEAR
WEAPON TESTS, WHICH CALLS FOR THE EARLIEST POSSIBLE CONCLU-
SION OF AN AGREEMENT ON UNDERGROUN NUCLEAR EXPLOSIONS FOR
PEACEFUL PURPOSES.

REAFFIRMING THEIR ADHERENCE TO THE OBJECTIVES AND
PRINCIPLES OF THE TREATY BANNING NUCLEAR WEAPON TESTS IN
THE ATMOSPHERE, IN OUTER SPACE AND UNDER WATER, THE

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TREATY ON THE LIMITATION OF UNDERGROUND NUCLEAR

WEAPON TESTS, AND THEIR DETERMINATION STRICTLY TO OBSERVE
THE PROVISIONS OF THESE INTERNATIONAL AGREEMENTS,

DESIRING TO ASSURE THAT UNDERGROUND NUCLEAR EXPLO-
SIONS FOR PEACEFUL PURPOSES SHALL NOT BE USED FOR PUR-
POSES RELATED TO NUCLEAR WEAPONS,

DESIRING THAT UTILIZATION OF NUCLEAR ENERGY BE
DIRECTED ONLY TOWARD PEACEFUL PURPOSES,

DESIRING TO DEVELOP APPROPRIATELY COOPERATION IN THE
FIELD OF UNDERGROUND NUCLEAR EXPLOSIONS FOR PEACEFUL PRUPOSES,
HAVE AGREED AS FOLLOWS:

ARTICLE I

1. THE PARTIES ENTER INTO THIS TREATY TO SATISFY
THE OBLIGATIONS IN ARTICLE III OF THE TREATY ON THE
LIMITATION OF UNDERGROUND NUCLEAR WEAPONS TESTS, AND
ASSUME ADDITIONAL OBLIGATIONS IN ACCORDANCE WITH THE PRO-
VISIONS OF THIS TREATY.

2. THIS TREATY SHALL GOVERN ALL UNDERGROUND NUCLEAR
EXPLOSIONS FOR PEACEFUL PURPOSES CONDUCTED BY THE PARTIES
AFTER MARCH 31, 1976.

ARTICLE II

FOR THE PURPOSES OF THIS TREATY:

(A) "EXPLOSION" MEANS ANY INDIVIDUAL OR GROUP
UNDERGROUP NUCLEAR EXPLOSION FOR PEACEFUL PURPOSES;

(B) "EXPLOSIVE" MEANS ANY DEVICE, MECHANISM OR
SYSTEM FOR PRODUCING AN INDIVIDUAL EXPLOSION;

(C) "GROUP EXPLOSION" MEANS TOW OR MORE INDIVIDUAL
EXPLOSIONS FOR WHICH THE TIME INTERVAL BETWEEN SUCCESSIVE
INDIVIDUAL EXPLOSIONS SHALL NOT EXCEED FIVE SECONDS AND
FOR WHICH THE EMPLACEMENT POINTS OF ALL EXPLOSIVES CAN
BE INTERCONNECTED BY STRAIGHT LINE SEGMENTS, EACH OF
WHICH JOINS TOW EMPLACEMENT PONTs AND EACH OF WHICH
DOES NOT EXCEED FORTY KILOMETERS.

ARTICLE III

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I. EACH PARTY, SUBJECT TO THE OBLIGATIONS ASSUMED UNDER
THIS TREATY AND OTHER INTERNATIONAL AGREEMENTS, RESERVES
THE RIGHT TO:

(A) CARRY OUT EXPLOSIONS AT ANY PLACE UNDER ITS
JURISDICTION OR CONTROL OUTSIDE THE GEOGRAPHICAL BOUNDA-
RIES OF TEST SITES SPECIFIED UNDER THE PROVISIONS OF THE
TREATY ON THE LIMITATION OF UNDERGROUND NUCLEAR WEAPON
TESTS; AND

(B) CARRY OUT, PARTICIPATE OR ASSIST IN CARRYING
OUT EXPLOSIONS IN THE TERRITORY OF ANOTHER STATE AT
THE REQUEST OF SUCH OTHER STATE.

2. EACH PARTY UNDERTAKES TO PROHIBIT, TO PREVENT
AND NOT TO CARRY OUT AT ANY PLACE UNDER ITS JURISDIC-
TION OR CONTROL, AND FURTHER UNDERTAKES NOT TO CARRY
OUT, PARTICIPATE OR ASSIST IN CARRYING OUT ANYWHERE:

X (A) ANY INDIVIDUAL EXPLOSION HAVING A YIELD
EXCEEDING 150 KILOTONS; XX

Y (A) MORE THAN 3 INDIVIDUAL EXPLOSIONS HAVING
A YIELD EXCEEDING 150 KILOTONS; YY

(B) ANY GROUP EXPLOSIONS:

(1) HAVING AN AGGREGATE YIELD EXCEEDING
150 KILOTONS EXCEPT IN WAYS THAT WILL PERMIT IDENTIFICATION
OF EACH INDIVIDUAL EXPLOSION AND X MEASUREMENT OF THE
YIELD OF EACH INDIVIDUAL EXPLOSION IN THE GROUP XX
Y CONFIRM THAT ITS YIELD DOES NOT EXCEED 150 KILOTONS YY
IN ACCORDANCE WITH THE PROVISIONS OF ARTICLE IV OF AND
THE PROTOCOL TO THIS TREATY;

(2) HAVING AN AGGREGATE YIELD EXCEEDING
X 1000 KILOTONS XX Y TWO MEGATONS YY ;

(C) ANY EXPLOSION WHICH DOES NOT CARRY OUT A PEACEFUL
APPLICATION;

(D) ANY EXPLOSION EXCEPT IN COMPLIANCE WITH THE
PROVISIONS OF X THE TREATY BANNING NUCLEAR WEAPON TESTS
IN THE ATMOSPHERE, IN OUTER SPACE AND UNDER WATER XX Y
INTERNATIONAL AGREEMENTS ENTERED BY THE PARTIES.YY

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ARTICLE IV

1. FOR THE PURPOSE OF PROVIDING ASSURANCE OF COMPLIANCE WITH THE PROVISIONS OF THIS TREATY, EACH PARTY SHALL:

(A) USE NATIONAL TECHNICAL MEANS OF VERIFICATION AT ITS DISPOSAL IN A MANNER CONSISTENT WITH GENERALLY RECOGNIZED PRINCIPLES OF INTERNATIONAL LAW; AND

(B) PROVIDE TO THE OTHER PARTY INFORMATION AND ACCESS TO SITES OF EXPLOSIONS AND FURNISH ASSISTANCE IN ACCORDANCE WITH THE PROVISIONS SET FORTH IN THE PROTOCOL TO THIS TREATY.

2. EACH PARTY UNDERTAKES NOT TO INTERFERE WITH THE NATIONAL TECHNICAL MEANS OF VERIFICATION OF THE OTHER PARTY OPERATING IN ACCORDANCE WITH PARAGRAPH 1(A) OF THIS ARTICLE, OR WITH THE IMPLEMENTATION OF THE PROVISIONS OF PARAGRAPH 1(B) OF THIS ARTICLE.

ARTICLE V

1. TO PROMOTE THE OBJECTIVES AND IMPLEMENTATION OF THE PROVISIONS OF THIS TREATY, THE PARTIES SHALL ESTABLISH PROMPTLY A JOINT CONSULTATIVE COMMISSION WITHIN THE FRAMEWORK OF WHICH THEY WILL:

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(A) CONSULT WITH EACH OTHER, MAKE INQUIRIES AND FURNISH INFORMATION IN RESPONSE TO SUCH INQUIRIES, TO ASSURE CONFIDENCE IN COMPLIANCE WITH THE OBLIGATIONS ASSUMED;

(B) CONSIDER QUESTIONS CONCERNING COMPLIANCE WITH THE OBLIGATIONS ASSUMED AND RELATED SITUATIONS WHICH MAY BE CONSIDERED AMBIGUOUS;

(C) CONSIDER QUESTIONS INVOLVING UNINTENDED INTERFERENCE WITH THE MEANS FOR ASSURING COMPLIANCE WITH THE PROVISIONS OF THIS TREATY;

(D) CONSIDER CHANGES IN TECHNOLOGY OR OTHER NEW CIRCUMSTANCES WHICH HAVE A BEARING ON THE PROVISIONS OF THIS TREATY; AND XX

(E) CONSIDER POSSIBLE AMENDMENTS TO PROVISIONS GOVERNING UNDERGROUND NUCLEAR EXPLOSIONS FOR PEACEFUL PURPOSES.

2. THE PARTIES THROUGH CONSULTATION SHALL ESTABLISH, AND MAY AMEND AS APPROPRIATE, REGULATIONS FOR THE JOINT CONSULTATIVE COMMISSION GOVERNING PROCEDURES, COMPOSI-

TION AND OTHER RELEVANT MATTERS.

ARTICLE VI

1. THE PARTIES WILL DEVELOP COOPERATION ON THE BASIS OF MUTUAL BENEFIT, EQUALITY, AND RECIPROCITY IN VARIOUS AREAS RELATED TO CARRYING OUT UNDERGROUND NUCLEAR EXPLOSIONS FOR PEACEFUL PURPOSES.

2. THE JOINT CONSULTATIVE COMMISSION WILL FACILITATE THIS COOPERATION BY CONSIDERING SPECIFIC AREAS AND FORMS OF COOPERATION WHICH SHALL BE DETERMINED BY AGREEMENT BETWEEN THE PARTIES IN ACCORDANCE WITH THEIR CONSTITUTIONAL PROCEDURES.

E. THE PARTIES WILL APPROPRIATELY INFORM THE INTERNATIONAL ATOMIC ENERGY AGENCY OF RESULTS OF THEIR COOPERATION IN THE FIELD OF UNDERGROUND NUCLEAR EXPLOSIONS FOR PEACEFUL PURPOSES.

ARTICLE VII

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1. EACH PARTY SHALL CONTINUE TO PROMOTE THE ESTABLISHMENT OF THE INTERNATIONAL AGREEMENT OR AGREEMENTS AND PROCEDURES PROVIDED FOR IN ARTICLE V OF THE TREATY ON THE NON-PROLIFERATION OF NUCLEAR WEAPONS, AND SHALL PROVIDE APPROPRIATE ASSISTANCE TO THE INTERNATIONAL ATOMIC ENERGY AGENCY IN THIS REGARD.

2. EACH PARTY UNDERTAKES NOT TO CARRY OUT, PARTICIPATE OR ASSIST IN THE CARRYING OUT OF ANY EXPLOSION IN THE TERRITORY OF ANOTHER STATE UNLESS THAT STATE AGREES TO THE IMPLEMENTATION IN ITS TERRITORY OF THE INTERNATIONAL OBSERVATION AND PROCEDURES CONTEMPLATED BY ARTICLE V OF THE TREATY ON THE NON-PROLIFERATION OF NUCLEAR WEAPONS AND THE PROVISIONS OF ARTICLE IV OF AND THE PROTOCOL TO THIS TREATY, INCLUDING THE PROVISION BY THAT STATE OF THE ASSISTANCE NECESSARY FOR SUCH IMPLEMENTATION.

ARTICLE IX

1. THIS TREATY INCLUDING THE PROTOCOL WHICH FORMS AN INTEGRAL PART HEREOF, SHALL BE SUBJECT TO RATIFICATION IN ACCORDANCE WITH THE CONSTITUTIONAL PROCEDURES OF EACH PARTY. THIS TREATY SHALL ENTER INTO FORCE ON THE DAY OF THE EXCHANGE OF INSTRUMENTS OF RATIFICATION WHICH EXCHANGE SHALL TAKE PLACE SIMULTANEOUSLY WITH THE

EXCHANGE OF INSTRUMENTS OF RATIFICATION OF THE TREATY ON
THE LIMITATION OF UNDERGROUND NUCLEAR WEAPON TESTS.

2. THIS TREATY SHALL BE REGISTERED PURSUANT TO
ARTICLE 102 OF THE CHARTER OF THE UNITED NATIONS.

DON AT (BLANK), IN TWO COPIES, EACH IN THE ENGLISH
AND RUSSIAN LANGUAGES, BOTH TEXTS BEING EQUALLY AUTHENTIC.

END TEXT.

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Message Attributes

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